

REMARKS

Claims 1-3, 5-11, and 13-18 are pending the present application. Claims 1 and 10 have been amended to correct typographical errors. No new matter has been added.

Claims 1-3, 5-11, and 13-18 have been rejected. Claims 1-3, 6, 7, 9-11, 14, 15, and 18 are rejected under 35 U.S.C. § 102(e) as being anticipated by Midgley et al. (U.S. Patent No. 6,779,003) (“Midgley”). Claims 5 and 13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Midgley as applied to claims 1 and 10 above, and further in view of Gauvin et al. (U.S. Patent No. 5,991,760) (“Gauvin”). Claims 8 and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Midgley as applied to claims 1 and 10 above, and further in view of Satyanarayana et al. (U.S. Patent No. 5,909,429) (“Satyanarayana”).

Rejection of Claims 1-3, 6-7, 9-11, 14, 15, and 18 under 35 U.S.C. § 102(e)

Claims 1-3, 6, 7, 9-11, 14, 15, and 18 are rejected under 35 U.S.C. § 102(e) as being anticipated by Midgley et al. (U.S. Patent No. 6,779,003) (“Midgley”). This rejection is respectfully traversed.

Midgley does not disclose “communicating the request to the install module in a login page that instantiated the file at the remote location,” as recited in claim 1 and similarly recited in claim 10. As described in an exemplary process in the originally-filed specification, “redirect module 114 forwards the modified address to authentication component 107 … In step 406, authentication component 107 uses the modified address to produce a request … In step 408, authentication component 107 passes the request to install module 118 in the login page that instantiated authentication control component 107.” Paras. [0056]-[0058]. Midgley, however, does not disclose (1) a login page or (2) communicating a request to an install module in a login page.

Midgley does not disclose a login page. Midgley is directed to “systems and methods … for *continuous back up* of data stored on a computer network.” Col. 2, lines 8-9. As a result of providing “continuous back up,” Midgley does not disclose a user maintaining the integrity of a file at a remote location via a login page. Indeed, Midgley’s computer-based “agent” has “access to all files on the source system, regardless of how the applications have tried to restrict access.” Col. 2, lines 54-57.

Although Midgley recites that a “user [can] set up policies including the timing of synchronization backups,” Midgley does not disclose a “login page.” Col. 3, lines 43-44. Even Midgley’s “system administrator” does not have the need for a login page, in contrast to a user of the method or system in claims 1 and 10 that, for example, desires to “access the login page of an online application that allows users to trade stocks.” Para. [0029]. Thus, because Midgley is directed to a “continuous back up system,” Midgley does not disclose a “login page.”

Because Midgley does not disclose a “login page,” Midgley necessarily does not disclose “communicating the request to the install module in a login page.” The Examiner asserts that Midgley anticipates this limitation based upon Midgley’s disclosure at col. 15, lines 44-63. However, the undersigned representative finds no support, either in this citation or the remainder of Midgley, for such a disclosure. In fact, the “dynamic replication process” described in this citation does not even describe a “request,” let alone a “login page.” Thus, Midgley fails to disclose “communicating the request to the install module in a login page.”

Therefore, Midgley does not disclose each and every element of claims 1 and 10. Because claims 1 and 10 are believed to be allowable, claims 2, 3, 6, 7, 9, 11, 14, 15, and 18 are also believed to be allowable as they depend on claims 1 and 10. Accordingly, the undersigned representative respectfully requests that the Examiner withdraw the rejection of claims 1-3, 6, 7, 9-11, 14, 15, and 18.

Rejection of Claims 5 and 13 under 35 U.S.C. § 103(a)

Claims 5 and 13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Midgley as applied to claims 1 and 10 above, and further in view of Gauvin et al. (U.S. Patent No. 5,991,760) (“Gauvin”). This rejection is respectfully traversed.

For at least the reasons set forth above with respect to claims 1 and 10, Midgley does not establish a prima facie case of obviousness with respect to claims 5 and 13 because Midgley does not teach or suggest each and every element of the independent claims. Gauvin fails to cure the deficiencies of Midgley.

The Examiner asserts that Gauvin teaches “generating a reinstallation web page,” as recited in claims 5 and 13. Although Gauvin recites downloading via a client browser,

Gauvin does not teach or suggest “generating a reinstallation web page.” The Examiner’s citation to Gauvin at col. 6, lines 17-60 does not support the Examiner’s assertion. In fact, Gauvin recites downloading additional websites that are reviewed only when the client computer is disconnected from the network. Col. 9, lines 1-14. Such websites, as a result, cannot function as a reinstallation web page when reviewed after the client computer is no longer connected to the network. Therefore, the undersigned representative respectfully requests that the Examiner withdraw the rejection of claims 5 and 13.

Rejection of Claims 8 and 16 under 35 U.S.C. § 103(a)

Claims 8 and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Midgley as applied to claims 1 and 10 above, and further in view of Satyanarayana et al. (U.S. Patent No. 5,909,429) (“Satyanarayana”). This rejection is respectfully traversed. For at least the reasons set forth above with respect to claims 1 and 10, Midgley does not establish a prima facie case of obviousness with respect to claims 8 and 16 because Midgley does not teach or suggest each and every element of the independent claims. Satyanarayana fails to cure the deficiencies of Midgley. Therefore, the undersigned representative respectfully requests that the Examiner withdraw the rejection of claims 8 and 16.

CONCLUSION

The undersigned representative respectfully submits that this application is in condition for allowance, and such disposition is earnestly solicited. If the Examiner believes that the prosecution might be advanced by discussing the application with the undersigned representative, in person or over the telephone, we welcome the opportunity to do so. In addition, if any additional fees are required in connection with the filling of this response, the Commissioner is hereby authorized to charge the same to Deposit Account 50-3732.

Respectfully submitted,

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